**IN THE HIGH COURT OF JUDICATURE OF BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.863 OF 2005

Shri Paramjitsingh Ghai. ..Petitioner.

V/s.

Mathranis Civil Engineers & Anr...Respondents.

Smt.Pranali Kakade for Mr.P.P.Kakade for petitioner.

Mr.V.V.Pai for respondent No.1.

Mr.Y.S.Shinde, APP for State.

**CORAM: A.M.KHANWILKAR,J**

**DATE : DECEMBER 19, 2005.**

**P.C. :**

1. Today when the matter is called out, learned counsel for the petitioner submits that the petitioner could not be contacted as she was under impression that the matter is not on board in as much as the same has been included in the supplementary board to be taken at Sr.No.77A.

2. This submission to my mind cannot be accepted. The matter was fully heard on 8th December, 2005 when the detailed order was passed. By way of indulgence, formal order of dismissing the petition was deferred as the counsel for the petitioner took time on the ground that the

petitioner will make appropriate offer so that the entire controversy can be settled. The matter was accordingly, posted on 15th December, 2005 on which date, however, the counsel for the petitioner informed this court that father of the petitioner had expired recently and sought adjournment. The order was dictated in open court adjourning the matter to 19th December, 2005. Today when the matter is called out, the excuse given is that the petitioner could not be contacted as the matter did not appear in the main board. As mentioned earlier, the matter has been shown in supplementary board mentioned at Sr.No.77A. Besides the matter has been shown in the board issued by the Bar Association at Sr.No.77A. In the circumstances, no further indulgence can be shown as prayer for adjournment is opposed by the respondents.

3. Hence dismissed for the reasons already recorded in order dated 8th December, 2005.